SINGLE BENCH

P.R. No. 4411/06 C.P. Lahare
Presented by Counsel on 11/8/06
dated.....

(2) C.S. 1001 A.C. 111 13.9.04 (4) C.M.O. Janjgir 12.6.06

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION No. /2006

W.P.(S) 4367 /2006

PETITIONER : Mohammed Saleem Khan S/o Mohammed Shahjahan Khan, Aged about - 34 years, R/o Khaparganj Bilaspur, District – Bilaspur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh Through – The Secretary Public Health and family welfare Department, D.K.S. Bhawan Raipur (C.G.)
2. The Director Health Services, Raipur, District – Raipur (C.G.)
3. Chief Medical Officer and Health Officer, Janjgir, Distt. Janjgir-Champa (C.G.)
4. The Collector Janjgir, Distt. Janjgir-Champa (C.G.)

RECD. FOR COPY 11/8/06 A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P(S) ~~4364~~ 4367 **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

30.8.2006

Shri P.K. Patel, Advocate for the petitioner.

Shri N.K. Agarwal, Dy. Adv. General for respondent No.1 to 4 on advance copy.

Heard.

By this petition the petitioner, who is working on the post of Assistant Grade-III in the office of Chief Medical & Health Officer, Janjgir, has challenged the order dated 12.6.2006 whereby respondent No.3 had directed that the petitioner shall get the salary from Health Centre, Baloda.

Learned counsel for the petitioner submitted that the said order is mala fide and bad in law because five posts of Assistant Grade-III are already lying vacant in the office of Chief Medical & Health Officer where the petitioner is working.

In the circumstances, learned counsel for the petitioner that the petitioner may be allowed to make a detailed representation to respondent No.3 and in turn, he be directed to decide the same in accordance with law, to which learned Dy. A.G. Shri Agarwal has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation along with copy of this petition to respondent No.3 within a period of 10 days from today and in turn, respondent No.3 to decide the representation of the petitioner within a period of 30 days from the date of receipt of representation in accordance with law after considering all the grievances raised by the petitioner.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.3385/06 & I.A. No.7962/06 also stand disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

P.T.O.

2-9-06

5.9.06